

REMARKS

Claims 25-39 are all the claims pending in the application. Applicants have canceled claim 31 without prejudice or disclaimer, and have added new claims 40 and 41. These new claims find support in the specification at least, for example, at page 22. Applicants submit that no new matter has been added. After entry of this Amendment, claims 25-30 and 32-41 will be pending in the application.

Claim Objections

Claim 31 has been objected to for various typographical errors. Applicants have corrected these typographical errors and respectfully request that this objection be withdrawn.

Claim Rejections

Claims 25-39 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over European patent number EP 0802527 to Oshima *et al.* ("Oshima") in view of the publication, *The Dynamic Digital Disk* by A. Bell ("Bell").

In the Response to Arguments section of the Office Action, the Examiner states that "In fact, using CSS scheme for a different DVD format such as DVD-RAM disk was already known in the art at the time of the invention. Tosaki *et al.* (6,778,757), which was listed in form PTO-892 mailed 01/20/06, disclosed that CSS scheme is employed for various DVD formats including DVD-RAM (col. 2, lines 65-67; col. 3, lines 57-67; col. 6, lines 21-28; col. 17, lines 47-56). Another prior art, Kawami *et al.* (6,788,757), also discloses employing CSS scheme for a DVD-RAM recording/reproducing system (figure 1 and corresponding text)." Office Action, page 3, lines 3-10. Applicants respectfully disagree.

Applicants note that Tosaki recites, "....further if the DVD is provided with a CSS key area..." (column 3, lines 57-67). In a conventional DVD such as Tosaki, the CSS system is used only for a DVD-ROM. Thus, in Tosaki, the disclosed DVD is a DVD-ROM having the CSS key. On the other hand, a CPRM system is used for a recordable DVD, such as a DVD-RW. Therefore, the DVD-RW in which record information encrypted on the basis of the CPRM system is recorded cannot be reproduced by a player for the DVD-ROM.

However, in the claimed invention, the recording information which is encrypted on the basis of the CSS system in conformity with the DVD-VIDEO standard is distributed, and recorded in a recordable DVD disc, such as a DVD-RW. Therefore, this recordable DVD disc can be reproduced by the player for the DVD-ROM. These features are not disclosed, taught, or suggested in Tosaki.

With regard to Kawami *et al.* (6,788,757), a DVD-RAM drive is used. Kawami does not disclose, teach, or suggest that the recording information which is encrypted on the basis of the CSS system in conformity with the DVD-VIDEO standard is distributed, and recorded in a recordable DVD disc, such as a DVD-RW. In Kawami, the data written in the DVD-RAM is merely reproduced by the DVD-RAM drive. Kawami, therefore, does not disclose, teach, or suggest that the recordable DVD disc can be reproduced by the player for the DVD-ROM.

In addition, with respect to claims 31 and 33, the encryption information is common to every recordable information recording medium. Further, in the claimed invention, the encryption information is different to each manufacturer or each seller. Therefore, it is easy for the vendors to know the encryption information in advance. It is unnecessary to transmit the

encryption information on the network. These features are not disclosed, taught, or suggested in any references.

Thus, claim 31, as well as claims 25, 26, 33, 34 and 37, which contained features similar to those recited in claim 31, are patentable over the prior art. Claims 27-30, 35, 36 and 38-41, which depend from one of claims 25, 26, 34 and 37, are patentable at least by virtue of their dependence.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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